

IN THE CLAIMS:

Please amend claims 1-4, 6, 8, 9, and 11-14, and add new claims 16-18, as follows:

1. (Currently Amended) A ~~scheduling method of scheduling data packets in time-shared channels, said method comprising the steps of:~~

[[a)]] scheduling data packets in time-shared channels by determining a scheduling priority for a user based on a ratio between a transmission parameter offered to said user and an average preceding value of said transmission parameter provided to said user within a predetermined time period; and

[[b)]] changing said determined scheduling priority in dependence on a difference between said average preceding value and a minimum average value allocated to said user.

2. (Currently Amended) A method according to claim 1, wherein said changing ~~step~~ comprises ~~the step of~~ using a mapping function for mapping said average preceding value to a reduced value based on said difference between said average preceding value and said allocated minimum average value.

3. (Currently Amended) A method according to claim 2, wherein said mapping function is ~~adapted~~ configured to provide said reduced value if said average preceding

value falls below a predetermined value higher than said allocated minimum average value.

4. (Currently Amended) A method according to claim 2, wherein said mapping function is configured to set said reduced value to zero if said average preceding value is less than or equal to said allocated minimum average value.

5. (Previously Presented) A method according to claim 3, wherein said mapping function is a piecewise linear function.

6. (Currently Amended) A method according to claim 5, wherein said piecewise linear function provides a one-to-one mapping if said average preceding value is greater than or equal to said predetermined value, and a linear decreasing mapping if said average value is less ~~than~~ than said predetermined value but greater than or equal to said allocated minimum average value.

7. (Previously Presented) A method according to claim 1, wherein users for which the same scheduling priority has been determined in said determination step are served in a random order.

8. (Currently Amended) A method according to claim 1, wherein said scheduling method is used for ~~DSCH~~ downlink shared channel packet scheduling in a radio access network.

9. (Currently Amended) A method according to claim 1, wherein said scheduling method is used for ~~HSDPA~~ high speed downlink packet access packet scheduling in a MAC-hs unit ~~(10)~~ of a Node B device.

10. (Previously Presented) A method according to claim 1, wherein said transmission parameter is a throughput of a channel allocated to said user.

11. (Currently Amended) ~~An A-scheduling apparatus for scheduling data packets in time-shared channels, said apparatus comprising:~~

[[a)] priority determination ~~means for determining~~ unit configured to determine a scheduling priority for a user based on a ratio between a transmission parameter offered to said user and an average preceding value of said transmission parameter provided to said user within a predetermined time period; and

[[b)] priority change ~~means for changing~~ unit configured to change said determined scheduling priority in dependence on a difference between said average preceding value and a minimum average value allocated to said user;

wherein priority determination unit and priority change unit are configured to schedule data packets in time-shared channels.

12. (Currently Amended) A scheduling apparatus according to claim 11, wherein said priority change ~~means~~ unit comprises mapping ~~means for mapping~~ unit configured to map said average preceding value to a reduced value based on said difference between said average preceding value and said allocated minimum average value.

13. (Currently Amended) A scheduling apparatus according to claim 11, further comprising disabling ~~means for disabling~~ unit configured to disable said priority change means.

14. (Currently Amended) A scheduling apparatus according to claim 13, wherein said disabling ~~means~~ unit comprises a switching ~~means for bypassing~~ unit configured to bypass said priority change means.

15. (Previously Presented) A scheduling apparatus according to claim 11, wherein said scheduling apparatus is provided in a MAC-hs unit of a Node B device.

16. (New) An apparatus comprising:

priority determination means for determining a scheduling priority for a user based on a ratio between a transmission parameter offered to said user and an average preceding value of said transmission parameter provided to said user within a predetermined time period; and

priority change means for changing said determined scheduling priority in dependence on a difference between said average preceding value and a minimum average value allocated to said user;

wherein priority determination means and priority change means are configured to schedule data packets in time-shared channels.

17. (New) A computer program embodied in a computer-readable medium comprising program code means configured to perform scheduling data packets in time-shared channels, comprising:

determining a scheduling priority for a user based on a ratio between a transmission parameter offered to said user and an average preceding value of said transmission parameter provided to said user within a predetermined time period; and

changing said determined scheduling priority in dependence on a difference between said average preceding value and a minimum average value allocated to said user.

18. (New) A scheduling system, comprising:

priority determination unit configured to determine a scheduling priority for a user based on a ratio between a transmission parameter offered to said user and an average preceding value of said transmission parameter provided to said user within a predetermined time period; and

priority change unit configured to change said determined scheduling priority in dependence on a difference between said average preceding value and a minimum average value allocated to said user.